


**Date:** March 22, 2024

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Report Regarding Transition to Constitutional Offices – A Combined Response to Directives 221383, 221086, 221017, 221018, and 221381

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## **Executive Summary**

This report is an update to the September 20, 2023 combined response to Board of County Commissioners (Board) legislation, which aims to ensure new and reestablished constitutional offices in Miami-Dade County (County), made necessary by the passage of Amendment 10 to the Florida Constitution during the 2018 General Election, are ready to operate fully by the effective date of January 7, 2025. The resolutions passed by the Board during its Special Meeting held on May 5<sup>th</sup> and carried forward on June 6<sup>th</sup>, 2022, are Resolutions R-558-22, R-463-22, R-464-22, R-465-22, all sponsored by former Commissioner Jose “Pepe” Diaz and Commissioner Raquel A. Regalado, and Resolution R-559-22 sponsored by Commissioner Regalado.

Specifically, this report offers a comprehensive update on several key initiatives. It details progress on fulfilling legislative inventory requirements and outlines actions taken to re-establish the Office of the Sheriff (Sheriff). Additionally, it provides insight into the administration’s endeavors, including the development of draft transition agreements with incoming officials such as the Property Appraiser, Supervisor of Elections, Tax Collector, and Sheriff. Furthermore, it highlights efforts to facilitate the transfer of functions from the County’s Finance Department to the Miami-Dade County Clerk of Courts and Comptroller (the Clerk).

This report incorporates updates from October 2023 and December 2023 regarding inventory and Sheriff-related matters. Furthermore, it includes updates from October 2023 and January 2024 regarding the progress of transition agreements to be offered to the constitutional officers.

## **Background**

Beginning on May 5, 2022 and carried forward until June 6, 2022, the Board held a Special Meeting to set County policy and to consider implementation planning to address the impact of Amendment 10 to the Florida Constitution approved during the 2018 General Election in Florida on the operations of the County Tax Collector, the Supervisor of Elections, the Property Appraiser, County Police, and the Clerk of Courts. Amendment 10 requires the creation of the constitutional offices of the Tax Collector, the Supervisor of Elections and the Property Appraiser, and the re-establishment of the Office of the Sheriff in the County. With respect to the Clerk, Amendment 10 removes the County’s ability to transfer by Charter any statutory duties of the Clerk to the County.

## **Report**

### **Status of Requested Inventory**

The Board has requested the compilation of an inventory encompassing all real property, assets, equipment, contracts, grants, and licenses, as well as personnel, utilized within the Elections Department, Finance Department, Office of the Tax Collector (formerly Tax Collector Division of the Finance Department), and Office of the Property Appraiser for executing functions to be delegated to their respective constitutional offices. Furthermore, the Board has stipulated that this inventory must include

details such as the date of acquisition, remaining useful life, current fair market value, remaining term of active contracts, and any limitations on transferring items to successor departments. Additionally, comprehensive information pertaining to employees' position titles, dates of hire, current salaries, and the total value of benefits is required to fulfill this mandate.

This report includes inventory updates dated October 2023 and December 2023.

The following attachments include the required information:

- Attachment A includes a summary and the detailed inventory for the Elections Department.
- Attachment B includes a summary and the detailed inventory for the Finance Department (with respect to the statutory duties of the Clerk).
- Attachment C includes a summary and the detailed inventory for the Office of the Tax Collector.
- Attachment D includes a summary and the detailed inventory for the Office of the Property Appraiser.

This information has been retrieved from a variety of sources, including the following:

- INFORMS contains information regarding capital and non-capital assets, employees, personnel vacancies, and active contracts.
- ISD provided relevant real estate and office space information.
- The Finance Department provided initial information regarding capital and non-capital assets of the Finance Department and Office of the Tax Collector. Subsequent updates were provided by the respective department.
- The Elections Department provided supplemental information regarding non-capital asset inventory in the Elections warehouse.

The table below provides a list of the type of information included in the inventory. This list may change for future reports as departments and staff analyze the inventory information necessary to effectuate a seamless transfer of functions, materials, and personnel.

Inventory Category	Information	
Personnel and Vacancies	<ul style="list-style-type: none"> <li>• Employee Name and ID</li> <li>• Department</li> <li>• Division</li> <li>• Date of Hire</li> <li>• Protected Status</li> <li>• Position Title</li> <li>• Position Number</li> </ul>	<ul style="list-style-type: none"> <li>• Full Time/Part Time Status</li> <li>• Adjusted Annual Salary (or minimum / maximum of salary range for vacant positions)</li> <li>• Dollar Value of Employer Provided Benefits</li> <li>• Position Budgeted</li> <li>• Estimated Percentage of Time Employee is Involved in Constitutional Functions</li> </ul>
Real Property	<ul style="list-style-type: none"> <li>• Department Occupant</li> <li>• Facility Name</li> <li>• Address</li> <li>• Estimated Square Feet</li> </ul>	<ul style="list-style-type: none"> <li>• Asset Owner (ISD or Dept.)</li> <li>• Estimated Percentage of Square Feet Used for Constitutional Functions</li> <li>• Restrictions on Transfer to Successor</li> </ul>
Equipment/Assets	<ul style="list-style-type: none"> <li>• Department</li> <li>• Asset ID Number</li> <li>• Asset Description</li> <li>• Tag Number</li> <li>• Serial ID Number</li> <li>• Date of Acquisition</li> <li>• Asset Status</li> </ul>	<ul style="list-style-type: none"> <li>• Asset Type</li> <li>• Total Purchase Cost</li> <li>• Net Book Value</li> <li>• Estimated Remaining Life</li> <li>• Estimated Percentage of Time Asset is Used for Constitutional Functions</li> <li>• Restrictions on Transfer to Successor</li> </ul>

Inventory Category	Information	
Active Contracts	<ul style="list-style-type: none"> <li>• Department</li> <li>• Contract ID Number</li> <li>• Contract Status</li> <li>• Contract Description</li> <li>• Start Date</li> <li>• Expiration Date</li> <li>• Total Contract Value</li> </ul>	<ul style="list-style-type: none"> <li>• Total Amount of Contract for Department Allocation</li> <li>• Remaining Allocation for Department</li> <li>• Released Amount</li> <li>• Estimated Percentage of Contract Used for Constitutional Functions</li> <li>• Restrictions on Transfer to Successor</li> </ul>
Grants	<ul style="list-style-type: none"> <li>• Department</li> <li>• Funding Type</li> <li>• Granting Organization</li> <li>• Grant Title</li> <li>• Amount Awarded</li> <li>• Grant Status</li> </ul>	<ul style="list-style-type: none"> <li>• Grant Start Date</li> <li>• Grant End Date</li> <li>• Description for use of Funds</li> <li>• Estimated Percentage of Grant Used for Constitutional Functions</li> <li>• Restrictions on Transfer to Successor</li> </ul>
Licenses	<ul style="list-style-type: none"> <li>• Department</li> <li>• Department Work Unit</li> <li>• License Identifier(s)</li> <li>• Issuer of License</li> </ul>	<ul style="list-style-type: none"> <li>• Date Issued</li> <li>• Date of Expiration</li> <li>• Restrictions on Transfer to Successor</li> <li>• License Description</li> </ul>

Regarding County assets, it is imperative to address the Board’s request for information on useful remaining life and fair market value, which is not currently stored in INFORMS. Instead, INFORMS offers data on the number of years until an asset is fully depreciated and the current Net Book Value. The Net Book Value represents the asset’s value in the County’s accounting system, gradually decreasing through scheduled depreciation until it reaches \$0. Moreover, per state law and County procedures, only capital assets exceeding a purchase price of \$5,000 are mandated to be recorded in the Countywide asset inventory. Non-capital asset inventory reporting by County departments is voluntary and included in the inventory where available. Notably, information concerning the current market value and useful life of County real property is presently not tracked by ISD.

In relation to the Sheriff’s Office, it’s crucial to ascertain the Board’s stance on transferring relevant assets currently utilized by Miami-Dade Police Department (MDPD) for service provision (e.g., vehicles, weapons, speed trailers). ISD Asset Management, in collaboration with the Office of Management and Budget (OMB), is actively developing a plan in anticipation of the Board’s decision to transfer asset ownership. However, a comprehensive transfer process, including tag and title transfer, cannot commence until the Sheriff’s Office is operational on January 7, 2025. This process is likely to be phased in, and a 45-month transition period will facilitate its implementation.

*Reestablishment of the Office of the Sheriff*

As an integral part of our ongoing activities to reestablish the Office of the Sheriff and facilitate a smooth transition, the latest Florida Sheriff’s Association Manual was made available on the MDPD intranet. This valuable resource equips MDPD staff with essential information on how the transition will impact MDPD’s operations.

In conjunction with this, MDPD conducted multiple meetings with its employees, fostering collaborative discussions among the Mayor, her senior staff, Department Directors from MDPD, OMB and Human Resources, and MDPD employees. These sessions aimed to address employee inquiries and provide

comprehensive information on the potential impact on their roles. The goal was to ensure employees are well-informed, and resources are made available to support them throughout the transition.

To enhance communication and transparency to MDPD employees and all employees potentially affected by the transition, a dedicated website has been established, featuring a set of Frequently Asked Questions (FAQs) for County employees. Additionally, an "Ask a Question" functionality has been implemented on the County website, allowing employees to submit any questions or concerns they may have with respect to the Constitutional Officer transition. This interactive approach ensures that their voices are heard, and their needs are promptly addressed.

Our commitment to the well-being of our employees during this transition remains steadfast. The County is diligently working to mitigate financial and human impacts to the furthest extent possible, providing the necessary information, support, and clarity to navigate this period of change with confidence.

We have initiated comprehensive discussions aimed at formalizing the necessary procedures for the transfer or custodianship of critical categories. These encompass capital assets, real estate holdings, contractual agreements, fleet management, personnel records, grant administration, licensing, employee and creditable service information within the Florida Retirement System (FRS), and non-capital assets. The successful execution of these transfers and custodianships hinges on collaborative efforts among key departments, notably the Strategic Procurement Department, Human Resources, and the Internal Services Department. This cooperative approach is designed to establish robust processes and procedures, ensuring a seamless transition and uninterrupted operational continuity.

MDPD is currently developing a comprehensive plan to address the rebranding efforts required for the transition of the Sheriff's Office. This endeavor encompasses various aspects such as the rebranding of MDPD's uniforms, motor vehicles, badges, and other pertinent elements, which must adhere with Section 30.46, Florida Statutes. MDPD's plan will meticulously detail how these statutory requirements will be met. Under Section 30.46, Florida Statutes, the requirements for motor vehicles and badges for a sheriff's office include:

- Vehicles: Any rebranding effort must adhere to the mandated color combination of forest green and white for all motor vehicles and motorcycles utilized by the sheriffs and their deputies. This specific color scheme has been officially adopted to ensure uniformity and public recognition of law enforcement vehicles.
- Badges: The official badge, which is a five-pointed star featuring a replica of the great seal of Florida with the map of Florida superimposed thereon at the center, must be used. This badge is an essential element of the sheriff's identity and is required for all sheriffs and deputy sheriffs across the State of Florida.

Miami-Dade County must ensure that all motor vehicles, uniforms, and badges comply with these requirements as part of the transition process from MDPD to the Sheriff's Office.

Funding for this rebranding effort is a crucial aspect of the plan. Additionally, rebranding may hold significant importance for the Sheriff, who may seek to expedite the implementation of these changes as soon as they assume office. Therefore, meticulous planning and resource allocation are essential to ensure a timely transition in accordance with Section 30.46, Florida Statutes requirements.

*Status of Transition Agreements*

The Board has requested that the administration prepare draft transfer and transition agreements, in consultation with the County Attorney's Office. These agreements are to be offered to the respective constitutional offices to effectuate the necessary transfer of any real property (by lease agreement or otherwise), budgets, assets, equipment, contracts, grants and licenses currently used by a County department whose future functions will be assigned to a constitutional office. Additionally, the agreements will contain language regarding the transfer of positions and job classifications.

Draft agreements are currently being developed, ensuring compliance with state law to enable constitutional officers with the ability to carry out their statutory duties effectively on January 7, 2025. These draft agreements will include a transition period, which will allow County support services and ensure no disruption of service to the community after January 7, 2025. The services included are administrative, financial, and other support services for the operation of the constitutional offices. The transition period for the incoming Office of the Sheriff will continue through September 30, 2028, as required by state legislation adopted in 2023.

Pursuant to Ordinance No. 14-65, this report will be placed on the next available Board agenda. Should you require additional information, please contact David Clodfelter, Director, Office of Management and Budget at 305-375-5143.

[Attachments referenced in this memorandum are available through this link \(October 2023 Inventory\).](#)

[Attachments referenced in this memorandum are available through this link \(December 2023 Inventory\).](#)

C: Honorable Juan Fernandez-Barquin, Clerk of Court and Comptroller  
Honorable Pedro J. Garcia, Property Appraiser  
Geri Bonzon-Keenan, County Attorney  
Gerald K. Sanchez, First Assistant County Attorney  
Jess M. McCarty, Executive Assistant County Attorney  
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